



Planning and Development Acts 2000 to 2020

Planning Authority: Wexford County Council

Planning Register Reference Number: 20200588

Appeal by Raymond Cox care of Ian Doyle Planning Consultant of Woodleigh, Cornwall, Killurin, Enniscorthy, County Wexford and by James Molloy of Johnshill, Fethard-On-Sea, New Ross, County Wexford against the decision made on the 22nd day of July, 2021 by Wexford County Council to grant subject to conditions a permission to Eircom Limited care of Focusplus Limited of 3 Arbourfield House, Dundrum Business Park, Dundrum Road, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of an 18 metre high free standing communications structure with its associated antennae, communication dishes, ground equipment and all associated site development works; the development will form part of Eircom Limited existing telecommunications and broadband network, at Eircom Exchange, Fethard-On-Sea, New Ross, County Wexford.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to:

- (a) the national strategy regarding the improvement of mobile communications services,
- (b) the guidelines relating to 'Telecommunications Antennae and Support Structures' issued by the Department of the Environment and Local Government in July, 1996, for planning authorities, as updated by Circular Letter PL07/12 issued by the Minister for the Environment, Community and Local Government on the 19th day of October, 2012 under Section 28 of the Planning and Development Act 2000, as amended,

- (c) the policy of the planning authority as set out in the Wexford County Development Plan 2013-2019, to support the provision of telecommunications infrastructure,
- (d) the established use of the site,
- (e) the potential for sharing of the structure and site with other operators,
- (f) the site location proximate to the village of Fethard-on-Sea, and
- (g) the general topography and landscape features in the vicinity of the site,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, would not be prejudicial to public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity

2. Prior to commencement of development, details of the proposed colour scheme for the telecommunications support structure, ancillary structures and fencing shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interests of visual amenity and orderly development

3. Any additional panels or structures, proposed to be attached to the mast exceeding 1.3 metres in any dimension, shall be the subject of a separate planning application.

Reason: To regulate and control the layout of the development in the interest of orderly development.

4. The site and the adjoining lands under the control of the applicant outlined in blue on 'Site Layout Plan' Drawing Number WX-1876-01-P 05 submitted with the planning application, shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:
- (a) A plan to scale of not less than 1:500 showing –
 - (i) Existing trees, hedgerows, shrubs, specifying which are proposed for retention as features of the site landscaping.
 - (ii) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder which shall not include prunus species.
 - (iii) Details of boundary treatment and screen planting which shall not include cupressocyparis x leylandii.
 - (b) A timescale for implementation.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity, including regulating the landscape development of the adjoining lands under the control of the applicant, in connection with the development authorised by the permission.

5. Proposals for the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. No advertising signage shall be erected on the monopole mast, equipment cabinets or security fence.

Reason: In the interest of visual amenity.

Chris McGarry
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2021